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South Carolina House of Representatives

Legislative Update

David H. Wilkins, Speaker of the House

Vol. 13

February 26, 1996

No. 7

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WEEK IN REVIEW

HOUSE

Chief Justice Ernest Finney, Jr. presented the State of The Judiciary address on Tuesday, February 20th. Finney informed lawmakers that in fiscal year 1995-96, the courts were operating with too few judges and insufficient travel funds to make full use of the judges there are. Finney said that with proper funding the authority of the Court of Appeals could be expanded, freeing the Supreme Court to focus on vital constitutional cases, and Circuit Courts would focus on repeat offenders. The Chief Justice asked for nearly \$3 million dollars in additional funding for these expenses and to hire sixteen law clerks for the Family Court, eight Circuit and Family Court reporters, and three staff persons in the office of finance and personnel. \$200,000 of the \$3 million dollars would be used to hire two additional attorneys and aides to investigate lawyers and judges who commit crimes and misuse their positions or violate ethics, and to work with prosecutors to bring criminal charges. Finney feels this would permit earlier public disclosure of grievances. The Chief Justice also requested continued funding of information technology and a court-ordered arbitration and/or mediation project. The 1996-97 budget proposed by the House Ways and Means Committee includes the funding Finney requests, according to Ways and Means Chairman Henry Brown.

In floor action, Representatives concurred with Senate amendments to three bills which were then enrolled for ratification. **H. 3204** eliminates the exception to the statute of limitations on civil actions for persons under disability when imprisoned on a criminal or civil charge or in execution under the sentence of a criminal court for a term less than his natural life. **H. 3954** provides for specific findings that must be made in order for a nonresident to adopt a child in this state. **S. 654** provides for a voter referendum in Georgetown County's Waccamaw Neck area to allow Sunday alcohol sales. The rest of the county would not vote in the referendum.

Two other bills received third reading in the House last week and will be sent to the Governor to be signed into law. **S. 560** provides that a warrant may be issued by a mayor, recorder, judge or other judicial officer of a municipality without the necessity of a county magistrate endorsing the warrant when the person charged with the violation is presently incarcerated in that municipality. **S. 596** provides for a renewal fee for a permit to produce and sell hybrid striped bass. While the initial application fee would remain one hundred dollars (\$100), the fee would be only sixty dollars (\$60) if renewed before expiration of the current permit. Otherwise an applicant would have to pay the initial fee again.

Several House-sponsored bills also received third reading last week and were sent to the Senate for consideration. **H. 4101** authorizes a referendum to approve an assessment on marketed tobacco in order to fund tobacco production research coordinated by a marketing board. Currently tobacco is the only commodity in the state which has no marketing board. The referendum would be held only in tobacco producing counties with voting only by individual flu-cured tobacco growers. The assessment would be collected only for four years and paid only by tobacco growers. Subsequent referendums would be needed to continue assessment. Failed referendums could not be reattempted for at least one year. The measure also provides for refunds of assessments and written quarterly reports from those receiving funds. **H. 4335** authorizes individuals and corporations with proper permitting to import shellfish into the state for commercial purposes. Provisions which may be included in the permit are kind and placement of shellfish, testing for disease, and any needed cleanup efforts. Permit violations would be considered a

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misdeemeanor punishable by a fine of two to five hundred dollars (\$200-500) and a thirty day sentence. In addition, violators may be required to pay cleanup and corrective costs. H. 4344 enables the court to require monetary restitution from a juvenile offender in the amount determined by the court. H. 4354 provides that a reserve police officer with at least two hundred forty hours of logged service would not have to be accompanied at all times by the officer to whom he is assigned. Instead he would be allowed to stay in proximate contact, such as by radio. H. 4402, allowing the Commission for Minority Affairs to solicit and carry forward public and private funds, had received second reading earlier in February, but the House voted to continue the measure. Last week a vote to reconsider continuing the bill reversed the earlier action. The joint resolution went on to receive third reading. H. 4409 provides for the type of instrument which may preclude the severance of the right of survivorship, by including an instrument in which a person or persons makes a conveyance to himself and at least one other. H. 4462 combines the current two-tier pesticide registration fee schedule into a single fee. Currently the fee for nonrestricted use pesticides is sixty dollars (\$60), while the fee for restricted use pesticides is one hundred dollars (\$100). This bill creates a basic fee of one hundred dollars (\$100) for all pesticides whether restricted or nonrestricted. H. 4472 is designed to prevent frivolous inmate litigation by requiring inmates to pay filing fees and court costs in civil actions. Also, an inmate may lose earned work, education, and good-time credits if the courts find, among other things, that the inmate made a claim solely for harassment, presented false evidence, unreasonably delayed a proceeding, or abused discovery in the case. If an inmate has had three cases dismissed for being frivolous, the inmate would be barred from appealing or bringing another civil action.

H. 4501, concerning the "Setoff Debt Collection Act," excludes debts owed to a county hospital when the debtor and the hospital have entered into a written agreement which the debtor is fulfilling.

Representatives gave second reading to H. 4492, but reconsidered the vote after not receiving the two-thirds endorsement necessary for passage. So the bill currently remains up for second reading although it is likely to be included in the budget where only a majority vote would be needed to endorse the provision. The measure, which is designed to counteract a State Supreme Court ruling which many believe gave sweeping new taxing powers to local governments, limits taxing authority of local governments by requiring a supermajority vote of two-thirds to levy new taxes, charges, or fees without prior authorization of the General Assembly. Real estate transfer fees would be banned, however, admissions tax still could be collected. A vote of three-fifths vote would be needed to raise taxes, charges, and fees to keep up with inflation, and only a simple majority would be needed to raise school taxes. These percentages would apply to the General Assembly as well as local governments. Through a referendum, a majority of voters could override tax caps and increases. However, the restrictions would not apply to taxes, charges, and fees enacted before December 31, 1995. Amendments which were adopted last week would allow local governments to enact up to three per cent in taxes on meals and accommodations, with a one per cent cap on meals. This revenue could be used for tourist related improvements, such as roads and convention centers.

Finally, Representative set H. 4600 for special order beginning Monday, February 26th. The General Appropriations Bill for fiscal year 1996-97 contains \$4.4 billion dollars in spending, but does not include any general tax or fee increases. The plan provides \$112 million dollars in additional education funding over this fiscal year, and fully funds the Education Finance Act (EFA). The House version of the funding formula for the "Public School Facilities Assistance Act" is included in the budget. Half of the money would be divided according to weighted pupil units, while the other half would be distributed according to the EFA formula. Another provision in the

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budget is that property tax relief will be kept at the current level so that the first \$100,000 of a home's value would be exempt from taxes rather than the first \$125,000 as Governor David Beasley had proposed.

SENATE

Senators gave third reading to five bills last week. **H. 4478** raises the tobacco tax on all products, except cigarettes, to five per cent of the manufacturer's price. Cigarettes continue to be taxed at three and one half mills per cigarette. The measure also increases the discount for timely payments from two per cent to three and one half per cent in order to offset the tax hike. This bill now goes to the Governor to be signed into law. **S. 66** mandates minimum statewide requirements for building codes, except for manufactured housing which already is regulated. It also revises the duties of fire marshals in regard to these codes. The State would pick up the training costs. \$250,000 in tax revenues on fire insurer premiums will be used to hire and train inspectors. Cities and counties would be allowed to charge for inspections, but if they still could not afford these programs they may pool their resources with others. Code violations would be considered a misdemeanor punishable by a fine of up to two hundred dollars (\$200) or imprisonment of up to thirty days. **S. 1117** is the Senate version of the "Public School Facilities Assistance Act." The bill allows for bonds of up to six million dollars over six years to construct and renovate public school buildings. The formula for distributing these funds to school districts would be based fifty per cent (50%) on a district's needs, twenty-five per cent (25%) on average expenditures for capital projects and debt service during the prior five years, and twenty-five per cent (25%) on the district's relative wealth. Also, up to ten per cent (10%) of those funds would be set aside for Special Needs Grants. **S. 1118** deletes current provisions for distributing revenue from the Educational Assistance Endowment Fund from fiscal year 1995-96. The measure eliminates specific dollar amounts to be used for Higher Education scholarship grants and instead provides that revenue be distributed according to a seventy/thirty per cent formula for Public School Facilities Assistance and Higher Education Scholarship Grants respectively. **S. 1163** is the Senate version of bill allowing the Commission for Minority Affairs to receive public and private funds for research, forums, and training. Unused money may be carried over into the fiscal year 1996-97.

Six bills received second reading in the Senate last week. **H. 3589** directs the Department of Public Safety to study whether legally elevated vehicles pose a safety hazard when traveling on state highways. Findings and recommendations would be reported to the House Education and Public Works Committee and the Senate Transportation Committee. **H. 4054** provides that participants in Tech Prep or other structured school to work programs are covered by worker's compensation through the companies which train them. **H. 4351** establishes the "Gift of Life Organ and Tissue Procurement Act." The measure encourages public education on the importance of organ and tissue donation. It creates the Gift of Life Trust Fund, funded primarily from a new income tax check-off donation and contributions from applicants for drivers' licenses, vehicle titles, and license tags. **S. 1101** provides that members of election and registration commissions and voter registration boards must complete successfully a training and certification program conducted by the State Election Commission. The measure also rewrites provisions concerning the appointment of managers and clerks. **S. 1102** revises provisions concerning absentee ballots by deleting the requirement that the witness' address appear on the oath and return-addressed envelope. The measure also allows illiterate and handicapped voters to make their marks. **S. 1164**

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provides that a divorced, separated, or estranged parent who is heir to a child may have his entitlement denied or limited if the court determines that the parent has refused to reasonably support the decedent.

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COMMITTEE ACTION

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

Committee members reported favorably on five bills. **H. 4101** provides for a referendum to approve an assessment on marketed tobacco in order to fund production research and set up a marketing board. Currently tobacco is the only commodity in the state which has no marketing board. The referendum would be held only in tobacco producing counties with voting by individual flue-cured tobacco quota holders. The assessment would be collected only for four years and paid only by tobacco growers. Subsequent referendums would be needed to approve continued assessment. Failed referendums could not be resubmitted for approval for one year. The measure also provides for refunds of assessments, and quarterly written reports from those receiving funds. **H. 4335** authorizes individuals and corporations with proper permitting to import shellfish into the state for commercial purposes. Provisions which may be included in the permit are kind and placement of shellfish, testing of shellfish for disease, and any needed cleanup efforts. Violations are considered a misdemeanor and are punishable by a two hundred (\$200) to five hundred dollar (\$500) fine and thirty day imprisonment. In addition, violators may be required to pay cleanup and corrective costs.

H. 4462 combines the current two-tier pesticide registration fee schedule into a single fee. Currently the fee for nonrestricted use pesticides is sixty dollars (\$60), while the fee for restricted use pesticides is one hundred dollars (\$100). The bill creates a basic fee of one hundred dollars (\$100) for all pesticides. **S. 596** revises renewal fees for permits to produce and sell hybrid striped bass. While the initial fee would remain one hundred dollars (\$100), renewal fees would be reduced to twenty-five dollars (\$25) as long as application is made prior to expiration of the current permit. Otherwise applicants must pay the full one hundred dollar (\$100) fee as if it were an initial application. **S. 597**, relating to hybrid striped bass, makes a technical change to the definition of "processor" to exclude restaurants which prepare and serve bass on site.

A bill concerning transportation of spent nuclear fuel or high-level radioactive waste on state highways or railways, was recommitted to an Environmental Affairs Subcommittee. A procedural move had been used to include **H. 3553** on last week's agenda. The bill requires that the Department of Environmental Control certify that material to be transported would not pose a significant risk to citizens. An amendment that transferred responsibility for certification to the Nuclear Regulatory Commission failed, as did another providing that the legislation affected only farm waste.

EDUCATION AND PUBLIC WORKS

The Postsecondary Education Subcommittee amended, then gave a favorable report to **H. 4561**, "The South Carolina Children's Education Act of 1996." The subcommittee's amendments completely rewrote the original version of **H. 4561**, substituting frameworks developed by the Ways and Means Committee. The bill creates the Children's Education Fund to receive proceeds from the operation of the Barnwell Low-level Nuclear Waste Facility, of which thirty percent (30%) are to be spent on higher education scholarship grants and seventy percent (70%) on public school facility assistance. The bill creates need-based scholarships awarded to South Carolina students attending public and private institutions of higher education in this state.

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Also created is the Palmetto Fellows Scholarship Program to be awarded on the basis of merit to South Carolina students attending the state's public or private institutions of higher learning. Public school facility funds will be allocated annually among the districts for the construction, improvement, enlargement, or renovation of facilities or payment of debt service on such enhancement projects. Annual allocations are to be based on the following formula: sixty percent (60%) on a per pupil basis using the weighted pupil units of each district for the preceding year; forty percent (40%) according to the Education Finance Act formula, which takes into account a district's financial resources. Annual allocations for facility enhancements will also be made to the Department of Juvenile Justice, the Wil Lou Gray Opportunity School, the John De La Howe School, and the South Carolina School for the Deaf and Blind, with weighted pupil units alone determining the amount allocated. Lastly, **H. 4561** proposes that certain one-time allocations for this fiscal year be taken off the top of the Children's Education Fund with the remainder spent as detailed above. These one-time expenditures are as follows: \$7,000,000 for the University of Charleston's acquisition of adjoining property, \$4,000,000 for the Greenville Higher Education Consortium, \$5,400,000 for the Department of Archives and History's History Center, \$600,000 for maintenance and equipment at the School for the Deaf and Blind, and \$185,000 for building maintenance at the Wil Lou Gray Opportunity School.

The Primary and Secondary Education Subcommittee began hearing testimony on **H. 4567**, "The South Carolina School Accountability Act of 1996."

JUDICIARY

The full Judiciary Committee met last week only to hear a briefing on the budget. Subcommittees did not meet last week either.

LABOR, COMMERCE, AND INDUSTRY

Last week, the full Labor, Commerce, and Industry Committee gave favorable reports to the following bills: **H. 4078**, as amended, regulating the activities of agents collecting royalties on music played in restaurants, bars, offices, etc.; **S. 296**, as amended, pertaining to property abandoned at financial institutions; **H. 3326**, as amended, establishing individual medical accounts; **H. 4444**, exempting sellers of pre-paid legal insurance from pre-licensing and continuing education requirements; **S. 1044**, establishing risk based capital requirements allowing insurers to pass accreditation with the National Association of Insurance Commissioners; and **H. 4544**, allowing insurance records to be reproduced and for copies to be substituted for originals in court. The committee also voted to approve **R. 1917**, streamlining bookkeeping at the Workers' Compensation Commission.

The Life, Accident, and Health Insurance Subcommittee amended and gave favorable report to **H. 4396** which requires insurers of pregnant women to cover a hospital stay of two days following a vaginal delivery or three days following a caesarian section. The subcommittee also amended and reported favorably on **H. 4585**, pertaining to drugs which are approved by the Federal Food and Drug Administration for treatment of particular types of cancer, and which the medical community has determined to be useful in treating types of cancer other than those

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officially recognized by the FDA. **H. 4585**, would require health insurers who cover prescription drugs to provide coverage for these so-called "off label" uses of FDA-approved drugs in treating types of cancers falling outside of FDA specifications. As amended, the bill requires coverage for an "off label" use only if two medical journal articles favor such a use, and the treatment is not found unsafe or ineffective by a single journal article.

The Labor and Commerce Subcommittee amended, then gave a favorable report to **S. 507**, a bill which provides for the licensing of private detective businesses and sets up qualifications for the detectives employed in such a business. Such licenses would be available to corporations as well as individuals. Under current law, individuals register with the State Law Enforcement Division in order to operate as private detectives. **S. 507** was amended by adding to it the provision found in **H. 4554** allowing a retired commissioned law enforcement officer to carry a concealed pistol if employed as a private investigator or detective. The subcommittee amended **H. 4467**, a bill which alters the abilities of a joint power agency (an arrangement created in the late seventies whereby municipalities may jointly generate, transmit, and distribute electricity so as to ensure a reliable and economical source of power in their area). **H. 4467** allows a joint power agency to sell its excess power wholesale and relieves the agency from having to obtain permission from the Public Service Commission when building distribution projects (i.e. electrical substations). These revisions would allow joint power agencies to operate more along the lines of SCANA, CP&L, and other types of utilities. The amended **H. 4467** failed to receive the votes necessary for a favorable report. The subcommittee also voted to recommend approval of **R. 1907**, proposed by the State Athletic Commission to clean up its regulations pertaining to combative sports.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

The Health and Environmental Affairs Subcommittee amended, then gave a favorable report to **H. 4050**, The Children's Emergency Medical Services Act. As amended, the bill creates within the Department of Health and Environmental Control an Emergency Medical Services for Children program to establish EMS personnel education programs and guidelines for referral, treatment, interhospital transfer, and rehabilitation for critically ill or injured children. The program would be headed by a full-time director and a fourteen member, nonsalaried committee appointed by the Director of DHEC.

The subcommittee also reported favorably on two regulations submitted by the Department of Health and Human Services. **R. 1875** clarifies when Medicaid prerecoupment hearings apply. **R. 1881** allows entities other than DHHS's Division of Long Term Community Care to make eligibility determinations for Medicaid institutional long term care services. The change is proposed to allow the Department of Disabilities and Special Needs to make eligibility determinations for the Medicaid-covered Intermediate Care Facility/Mental Retardation services which their clients use.

WAYS AND MEANS

Committee members approved **H. 4602** which distributes nearly \$80.5 million dollars in nonrecurring money from the Capital Reserve Fund. State House renovations are allotted nearly

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\$8.9 million dollars. \$13.6 million dollars is spent on textbooks and other instructional materials for public education, and \$33.7 million dollars is used to fund nonrecurring expenses of the Higher Education Formula. Other expenditures included are \$2.5 million dollars for the settlement of the Catawba Indian and \$11.5 million dollars for the Federal Retiree lawsuit. \$2 million dollars is used to improve conditions at the Department of Juvenile Justice, and \$2.9 million dollars is spent on institutional maintenance at the Department of Corrections. \$100,000 goes for new dorm furniture at Wil Lou Gray, \$350,000 for facility and equipment upgrades at the School for the Deaf and Blind, and \$65,000 for building maintenance at John de la Howe. The Department of Public Safety is funded \$1 million dollars for a computer upgrade, while a similar upgrade at the Department of Human Affairs receives \$24,000. The 1996 general election receives \$1.4 million dollars. The Department of Natural Resources is allotted \$300,000 for equipment for marine resources, \$154,000 for equipment for water resources, and \$30,000 for equipment for geology. Land resources receives \$75,000 for a data system, while game gets nearly \$510,000 to construct/renovate facilities. Dry fire hydrant equipment for the fire academy accounts for \$450,000, and the Forestry Department receives \$100,000 for the H Cooper Black Field Trial Area. \$200,000 goes to the Department of Agriculture in light of a recent fire at the Horticulture Building. Also, Clemson PSA receives \$600,000 for its Plant Industries Research Complex.

The Ways and Means Committee also approved H. 4601 which appropriates \$138.9 million dollars in surplus funds. \$64.2 million dollars is allotted for 1996 property tax relief, while \$8.2 million is spent on 1995 property tax relief. \$6.2 million dollars is put in the General Reserve Fund. Local governments get \$25.1 million dollars. The Judicial Department receives funding for nine new judges, additional Family Court clerks, and an alternative dispute resolution program. \$2 million dollars goes toward welfare reform. The Department of Commerce gets funds for its European operations and TEC's special schools to attract new industries is also included. The Governor's School for Science and Math as well as the School for the Deaf and Blind also receive funding. Computer upgrades for the Attorney General and the Departments of Public Safety and Juvenile Justice are allotted. Additional State House renovation funds are set at nearly \$4 million dollars. \$1.7 million dollars is included as base restoration for ETV in light of eliminating funding of regional stations in the budget. The Department of Parks, Recreation, and Tourism received money for Discovery Centers and a facility at Lake Murray. Five investigators are provided for the Department of Human Affairs. Drug and other programs for juvenile offenders are funded. Archives and History receives money for the SC History Center and curriculum development. \$3 million is provided for immunizations. A Columbia sports arena gets \$2.5 million dollars. Other projects included in the bill are sentencing guidelines, a DNA banking program, Camp Happy Days, and buildings at various higher education facilities, as well as an airport improvement.

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BILLS INTRODUCED

The following is a brief overview of some of the bills introduced in the House last week. Bill summaries are listed in numeric order according to committee assignment.

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

H. 4661 GAME ZONES Rep. Sharpe

This bill cleans up Title 50. It would reduce the number of game zones in the state from eleven to four. Therefore numerous revisions, such as hunting and fishing seasons as well as the definition of day and night, are made to conform code sections to comply and be as uniform as possible. The measure also defines big game animals as deer, turkey, and bear, and includes coyote as a small game animal.

EDUCATION AND PUBLIC WORKS

S. 1116 APPROVAL OF REGULATION 1853 Education Committee

This is a joint resolution to approve Regulation 1853 which eases licensing and periodic reporting requirements for smaller postsecondary institutions, supplies a penalty for missing deadlines on an institution's annual report to the Commission on Higher Education, and requires postsecondary institutions to include in their advertisements for course offerings the location where courses will be taught.

S. 1118 EDUCATION ASSISTANCE ENDOWMENT ACT FUNDS Education Committee

This bill provides the following list of projects to be funded from the Educational Assistance Endowment Act for fiscal year 1995-96: \$7,000,000 for the University of Charleston's acquisition of adjoining property, \$4,000,000 for the Greenville Higher Education Consortium, \$5,400,000 for the Department of Archives and History's History Center, \$600,000 for maintenance and equipment at the School for the Deaf and Blind, and \$185,000 for building maintenance at the Wil Lou Gray Opportunity School. The remainder is to be distributed on a seventy/thirty percent basis for public school facilities assistance and higher educational scholarship grants, respectively.

JUDICIARY

H. 4639 ASSISTANT PUBLIC DEFENDERS Rep. Harrison

The bill provides that assistant public defenders would not be required to live in counties which they serve.

H. 4651 LIVE PRIZES Rep. Harrison

This measure prohibits using a live animal, fish, fowl, or reptile as a prize for or inducement to enter a contest, game or other competition. In addition, they could not be used as an inducement to enter a place of amusement. Violations are considered a misdemeanor and are punishable by a fine of up to three hundred dollars (\$300) and/or imprisonment of up to thirty days.

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H. 4652 TRANSFER OF BOARDED ANIMALS Rep. Harrison

Current law provides that in certain circumstances veterinarians, kennel owners, etc. can transfer an abandoned animal to an animal shelter ten days after the agreed date on which the owner was to have picked up the animal. To do so, owners must have signed a contract or agreement for this transfer, and notification by mail must have been attempted. This bill provides that a veterinarian, kennel owner, etc. who transfers an animal without first undertaking these measures is guilty of a misdemeanor. He must be imprisoned for not more than thirty days or fined not more than two hundred dollars (\$200).

H. 4655 SCHOOL PSYCHOLOGISTS Rep. Haskins

This measure creates the State Board of Examiners in School Psychology and prescribes its powers and duties. It would consist of seven members including three licensed private school psychologists, two school psychology professors, a school-based school psychologist, and a lay member who serve five year terms. The bill also provides for the licensure and regulation of school psychologists.

H. 4656 JUDICIAL TIME RESTRAINTS Rep. Haskins

Provisions of this bill would establish time limits for the completion of certain criminal pretrial, trial, and appellate procedures. The period from a person's arrest to his indictment would not exceed thirty days. In capital cases, it would take no longer than one hundred eighty days from indictment to commencement of a trial, or ninety days when not seeking the death penalty. Also in capital cases, the period between filing an appeal and the beginning of the hearing would not exceed ninety days. The period from the declaration of a mistrial to commencement of a new trial shall not exceed ninety days, and the period between the appellate ruling and commencement of a new trial would not exceed ninety days. The measure also provides a two hundred fifty to five hundred dollar (\$250-\$500) civil fine for an officer of the court who violates these provisions, or he may be banned from appearing before the court for not more than ninety days.

H. 4657 CRIME VICTIMS RIGHTS Rep. Haskins

The proposed legislation provides that a crime victim receive a free copy of the incident report. In addition, victims would be given a document which describes his constitutional rights of victims and lists the local crime victim assistance providers. The measure also deals extensively with restitution. Among other things, it provides that security given or pledged must be used as a portion of restitution the defendant is ordered to pay.

H. 4659 CRIME VICTIMS RIGHTS Rep. Allison

This bill provides that all crime victims, not just victims of violent crimes, receive certain information concerning juvenile offenders. The victims also would receive information about legal action concerning their cases and services available to victims of juvenile crime.

H. 4662 ASSAULT AND BATTERY Rep. Simrill

The measure revises the penalty for simple assault and battery. Current law provides for a fine of up to two hundred dollars (\$200) or imprisonment of up to thirty days. The bill provides for a fine of up to one thousand dollars (\$1000) and/or imprisonment of up to six months.

H. 4663 BAIL Rep. Tucker

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The proposed legislation makes the granting of bail discretionary for defendants convicted of certain offenses.

LABOR, COMMERCE, AND INDUSTRY

S. 991 INSURANCE FRAUD AND REPORTING IMMUNITY Sen. Saleeby

This bill removes references to the Division of Motor Vehicles from the Omnibus Insurance Fraud and Reporting Immunity Act and extends the act to apply to all state boards, commissions, and agencies.

H. 4647 GREENVILLE-SPARTANBURG AIRPORT ENVIRONS Rep. Vaughn

This bill alters the airport environs area established for Greenville-Spartanburg last year to ensure land uses compatible with airport operations. The physical dimensions of the airport environs are redefined and the Airport Environs Planning Commission is given three months more time for adopting a uniform land use plan and building standards.

H. 4650 TOWING AND WRECKER SERVICES Rep. Elliott

This bill proposes comprehensive regulations for towing and wrecker services.

H. 4658 AUTOMOBILE INSURANCE Rep. Hodges

This bill proposes comprehensive changes for automobile insurance, creating a new South Carolina Automobile Insurance Plan where individuals may receive coverage they are unable to obtain in the private market. Among other things, it establishes an Uninsured Motorist Fund in which are deposited fees of five hundred dollars (\$500) collected from those registering an uninsured vehicle. Also created is an Uninsured Enforcement Fund composed of one dollar (\$1) of the annual uninsured motorist premium.

H. 4660 TAX EXEMPTIONS FOR INSURERS OF CHURCHES Rep. Rhoad

This bill would include workers' compensation insurance premiums under the insurance premium tax exemptions presently allowed for companies which insure only churches.

H. 4666 SOUTH CAROLINA RESEARCH AUTHORITY Rep. Young-Brickell

This bill allows the South Carolina Research Authority to be known as "The SCRA" and authorizes the authority to establish not-for-profit corporations.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

H. 4649 "CENTRAL CANCER REGISTRY ACT" Rep. Shissias

This bill creates the Central Cancer Registry to compile statistical data on cancer cases statewide so as to identify high-risk groups and reduce the spread and fatal outcomes of cancer. The Cancer Control Advisory Committee is also created to advise the Department of Health and Environmental Control on policies for cancer prevention and control.

WAYS AND MEANS

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No bills were assigned to this committee last week.

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FOOTNOTE

The Legislative Update is now on-line! Members and staff who are on the network may access documents by pressing "List Files (F5)," then typing "H:\UPDATE" and pressing "enter." All of the Legislative Updates will be listed by week. Using up/down arrows, choose the Update corresponding to the week you need and press "enter."

If you prefer to access the Legislative Update through the World Wide Web, visit the South Carolina General Assembly Home Page. Click on "Quick-Find Guide" on the first page. On the next screen, click on "Reports." This will list all of the Legislative Updates by week. Finally, click on the week you need.

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